

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

TIM H. COOPER,

Plaintiff,

vs.

Civil Action 2:11-CV-638
Judge Graham
Magistrate Judge King

CITY OF WESTERVILLE, et al.,

Defendants.

ORDER

This action was removed to this Court pursuant to 28 U.S.C. §1441 as one arising under federal law with supplemental state law claims. Thereafter, plaintiff's unopposed motion for leave to amend the complaint in order to remove all federal claims was granted. *Order and Report and Recommendation*, Doc. No. 21. The United States Magistrate Judge also recommended that plaintiff's motion to remand the action to state court, which was also unopposed, be granted. *Id.* The parties represent that "[n]o party objects to the recommendation to remand." *Joint Motion of the Parties to Continue Status Conference*, Doc. No. 23.

Under these circumstances, the *Report and Recommendation*, Doc. No. 21, is **ADOPTED and AFFIRMED**. Plaintiff's *Motion to Remand*, Doc. No. 18, is **GRANTED**.

This action is hereby **ORDERED REMANDED** to the Court of Common Pleas for Delaware County, Ohio.

Date: September 29, 2011

s/James L. Graham

James L. Graham
United States District Judge